

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Martin, et al.  
Appl. No. : 10/516,958  
Filed : January 11, 2005  
For : METHOD FOR THE PREPARATION OF  
HALOGENATED BENZONITRILES  
Examiner : Unknown

Group Art Unit 1754

THIRD REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Office of Initial Patent Examination  
Customer Service Center  
Alexandria, VA 22313-1450

Dear Sir:

To date a corrected filing receipt has not been received in response to our original request of May 18, 2005 and our second request of September 7, 2006. Again, Applicants request that the Official Filing Receipt, a copy of which is enclosed, be corrected to reflect the true application number of the foreign application. In checking the information available on the Office's PAIR website, the priority data is shown as "S/B 02447110.4." Applicants would like to have an updated Filing Receipt with the correct information regarding the European application number shown as **02447110.4**. Supporting documentation is provided.

Respectfully submitted,

KNOBBE, MARTENS, OLSON &amp; BEAR, LLP

Dated: July 31, 2007By: Che S. Chereskin

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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/516,958 | 01/11/2005                | 1754     | 1278          | DECL34.002APC   |          | 31       | 2        |

CONFIRMATION NO. 8574

## FILING RECEIPT



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20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

Date Mailed: 05/03/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

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Power of Attorney: The patent practitioners associated with Customer Number 20995.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/05799 06/03/2003

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 024474104-06/04/2002

Slb 02447110.4

Projected Publication Date: 08/11/2005

Non-Publication Request: No

Early Publication Request: No

Title

Method for the preparation of halogenated benzonitriles

Preliminary Class

502

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**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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(74) Agent: BRANTS, Johan, Philippe, Emile; De Clercq, Brants & Partners, E. Gevaertdreef 10a, B-9830 Sint-Martens-Latem (BE).

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(81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KR, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

**Published:**

— without international search report and to be republished upon receipt of that report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: METHOD FOR THE PREPARATION OF HALOGENATED BENZONITRILES

(57) Abstract: The present invention relates to a method for preparing halogenated benzonitriles by vapour phase ammoxidation at a reaction temperature comprised in the range of 300 to 500 °C in a fixed bed reactor using a three-component catalyst. More particularly, the method of the invention relates to a method for preparing 2,6-dichlorobenzonitrile (2,6-DCBN) from 2,6-dichlorotoluene (2,6-DCT) by vapour phase ammoxidation. The invention also relates to a three-component catalyst provided on a carrier and its use in a vapour phase ammoxidation reaction according to the invention. In addition, the invention provides a method for preparing the three-component catalyst.

WO 03/101939 A2

# DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR THE PREPARATION OF HALOGENATED BENZONITRILES the specification of which:

- (a) ☐ is attached hereto; or
- (b) ☐ was filed on \_\_\_\_\_ as Application No. 0 / \_\_\_\_\_ or Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable); or
- (c) ☒ was described and claimed in PCT International Application No. PCT/EP03/05799 filed on June 3, 2003 and as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

| COUNTRY (OR INDICATE IF PCT) | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 37 U.S.C. § 119 |                          |
|------------------------------|--------------------|-----------------------------------|----------------------------------------|--------------------------|
| PCT                          | PCT/EP03/05799     | 06/03/03                          | <input checked="" type="radio"/> YES   | <input type="radio"/> NO |
| Europe                       | 02447110.4         | 06/04/02                          | <input checked="" type="radio"/> YES   | <input type="radio"/> NO |
|                              |                    |                                   | <input type="radio"/> YES              | <input type="radio"/> NO |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**POWER OF ATTORNEY:** I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge

that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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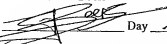
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